



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,040	12/22/2000	Christoph T. Corvin	GEMS:0123/yod 15-EC-5764	4691

7590 10/06/2003

Patrick S. Yoder
Fletcher, Yoder & Van Someren
P.O. Box 692289
Houston, TX 77269-2289

EXAMINER

FELTEN, DANIEL S

ART UNIT	PAPER NUMBER
----------	--------------

3624

DATE MAILED: 10/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/747,040

Applicant(s)

Corvin

Examiner

Felter

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/22/2000
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 18-13, 15-19, 21-24, 27-30, 33-37, 39-43, 45, 46, 48 is/are rejected.
- 7) ☒ Claim(s) 14, 25, 26, 31, 32, 47, 10, 20, 38, 44 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other: _____

Art Unit: 3624

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9, 11-13, 15-19, 21-24, 27-30, 33-37, 39-43, 45, 46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda (US 5,590,0380) and Barlow et al (hereinafter "Barlow", US 6,038, 551) in view of each other.

Pitroda discloses, as in claims 1, 17, 21, 33 and 40 a method for analyzing, facilitating and/or providing resources transactions for use with a medical facility (see Pitroda, col. 16, ll. 13-20; and fig. 31, col. 13-25), the method comprising:

as in claim 2, storing the client data on the financial transaction system (see Pitroda, Abstract)

as in claims 1, 3, 4 and 40 providing access to a financial analysis system via a network or Internet (see Pitroda, col. 16, ll. 13-20; and fig. 31, col. 13-25);

as in claims 1 and 9, receiving the client data from the network interface via the network (see Pitroda, col. 2, ll. 61+; col. 3, ll. 50+; and col. 7, ll. 63 to col. 8, ll. 10);

Art Unit: 3624

1 Claims 8, 19, 36, 42, disclose evaluating tax consequences of transactions for medical
2 sources (see Pitroda, col. 10, ll. 22+),
3 analyzing the client data in the financial analysis system (see Pitroda, col. 12, ll. 59-63);
4 as in claims 13, 18, 40 and 46, providing a plurality of financial transaction options
5 tailored to the client data to purchase a medical resource (see col. 12, ll. 59-63); and
6 as in claims 1, 11, 12 and 48 transmitting and displaying the plurality of financial
7 transaction options to a client via the network (see Pitroda, col. 9, ll. 54 to col. 10, ll. 53+);
8 as in claims 11, 12, 16, 24, 27, 29, 39 and 45 providing a plurality of financial transaction
9 options comprises providing a plurality of payment times and payment amounts and providing a
10 plurality of financial transaction options comprises providing a plurality of service options (see
11 Pitroda, fig. 18 and 19, col. 14, ll. 33+),
12 as in claim 34, coupling the transaction system to the Internet (see Pitroda, col. 7, ll. 63 to
13 col. 8, ll. 10),
14 as in claim 37 and 43, receiving financial data (see Pitroda, Abstract),
15 Barlow discloses, as in claims 5, providing medical resource information from a medical
16 resource supplier to client via network interface,
17 as in claims 6, 7, 30, 35 and 41, accepting applications for purchasing medical resources
18 via network interface and an purchasing order and a transaction agreement tailored to the client
19 data (see Barlow, col. 15, ll. 11-37),
20 providing a network interface for communication with the financial analysis system, the
21 network interface including a form for entering client data for medical resources (see Barlow,
22 col. 15, ll. 11-37),

Art Unit: 3624

1 as in claims 15 and 22, providing a query page for selecting a medical resource category
2 (see Barlow, col. 15, ll. 11-37),

3 as in claims 22 and 23, the client data comprises a desired option for purchasing a
4 medical resource (see Barlow, col. 15, ll. 11-37),

5 as in claim 35, electronically transmitting to the client a purchasing agreement for
6 medical resources (see Barlow, col. 15, ll. 11-37),

7 as in claim 28, comprising a client interface configured for exchanging information and
8 procuring a financial transaction between the client and the medical resource supplier via the
9 network (see Barlow, col. 15, ll. 11-37).

10 In view of Barlow It would have been obvious for an artisan of ordinary skill in the art to
11 integrate the aforementioned features of buying medical supplies from a merchant over a public
12 network to the teachings of Pitroda because an artisan at the time of the invention of Pitroda
13 would recognize that such features would be an obvious extension to the teachings of Pitroda by
14 allowing providing a means to also remotely purchase medical supplies over a network in
15 addition to supplying pertinent medical information (such as insurance) to medical facilities and
16 suppliers. Thus such a modification would have been an obvious expedient to one of ordinary
17 skill in the art.

18 On the other hand it would have been obvious to substitute the IC card disclosed in
19 Barlow for Pitroda's card because an artisan at the time of the invention would have recognized
20 the convenience and flexibility of Pitroda's card to retrieve and transmit a plethora of data as
21 well as supply various financial options to purchase medical and other items. Thus the IC card

Art Unit: 3624

1 UET card would be considered art recognized equivalents in as much as both cards would allow
2 the remote purchase of items over a network (i.e., the Internet) and storage of data.
3
4

5 *Allowable Subject Matter*
6

7 3. Claims 14, 25, 26, 31, 32, 47 and 10, 20, 38, 44 are objected to as being dependent upon a
8 rejected base claim, but would be allowable if rewritten in independent form including all of the
9 limitations of the base claim and any intervening claims.
10

11 4. The following is a statement of reasons for the indication of allowable subject matter:
12 Claims 14 25, 26, 31, 32, 47 discloses loan and lease options tailored to client data,
13 Claims 10, 20, 38, 44 discloses receiving client trade-in data for purchasing medical
14 resources.
15
16
17
18
19
20
21
22

Art Unit: 3624

Conclusion

5. A list of relevant prior art appears below not relied upon in this Office Action:

US Patents:

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ***Daniel S. Felten*** whose telephone number is (703) 305-0724. The examiner can normally be reached between the hours of 7:00AM to 5:30PM Monday-Thursday. Any inquiry of a general nature relating to the status of this application or its proceedings should be directed to the Customer Service Office (703) 306-5631, or the examiner's supervisor ***Vincent Millin*** whose telephone number is (703) 308-1065.

7. Response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

for formal communications intended for entry, or (703) 305-0040, for informal or draft communications, please label "Proposed" or "Draft".

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to *[daniel.felten@uspto.gov]*.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly

Art Unit: 3624

1 set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and
2 Trademark on February 25, 1997 at 1 195 OG 89.

3
4 

5
6 DSF
7 September 25, 2003



VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600